

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

TRUSTEES of the CHICAGO REGIONAL)
COUNCIL OF CARPENTERS PENSION)
FUND, et al.,)
Plaintiffs,) Case No. 19-cv-5419
)
v.) Judge Gilbert
)
DOOR, FRAME & HARDWARE INSTALLATION)
/ REPAIR SPECIALISTS, INC. and KEVIN PIPER,)
Defendants.)

Motion to Reinstate and for Judgment

Plaintiffs, by its attorney, Daniel P. McAnally, move this Honorable Court to reinstate this case and enter judgment and in support state:

1. This is an ERISA trust fund case for delinquent contributions.
2. On December 4, 2019 this case was dismissed with leave to reinstate pursuant to the settlement of the parties, Exhibit A "Agreed Order of Dismissal".
3. Pursuant to the Order, Defendant agreed to pay \$78,043.11 in partial payments and remain current in its monthly reporting and payment obligations, paragraphs one and three. If the Defendant defaulted on the payments or failed to remain current in its monthly contribution and payment obligations, the Plaintiffs retained the right to reinstate this case and enter judgment for the balance owed on the payment arrangement plus all additional amounts due, paragraph four.
4. The Defendant both failed to make timely payments and remain current in its monthly contribution obligations. (Exhibit B)

5. As a result of the breach, the Defendant owes to the Plaintiffs the sum of \$25,192.03 plus \$645.00 in attorney fees for a total owed of \$25,837.03.

6. Pursuant to the Order, in the event of a breach, Plaintiffs are allowed their attorney fees expended in enforcing the Order. The \$645.00 in attorney fees represents attorney McAnally's time expended in enforcing the Order (3.0 hours x \$215.00).

WHEREFORE, Plaintiffs pray that this case be reinstated and that a judgment be entered against the Defendant, Door, Frame & Hardware Installation / Repair Specialists, Inc. in the amount of \$25,837.03.

Respectively submitted,

s/ Daniel P. McAnally

Attorney for Plaintiffs

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